

x:\ATS51861\adoption

ROGER P. McTIERNAN, JR. (RPM 1680)  
BARRY, McTIERNAN & MOORE  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

Attorneys for Defendants ANN TAYLOR STORES CORPORATION

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION  
-----X      **21 MC 102 (AKH)**  
JORGE ZELAYA AND MARIA ZELAYA,

Civil Action No.: 07 CV 1730

**NOTICE OF ADOPTION**

Plaintiff(s),  
- against -

ALAN KASMAN DBA KASCO, ANN TAYLOR STORES  
CORPORATION, BATTERY PARK CITY AUTHORITY,  
BLACKMON-MOORING-STEAMATIC CATASTOPHE, INC.  
D/B/A BMS CAT, BROOKFIELD FINANCIAL PROPERTIES,  
INC., BROOKFIELD FINANCIAL PROPERTIES, LP,  
BROOKFIELD PARTNERS, LP, BROOKFIELD  
PROPERTIES CORPORATION, BROOKFIELD  
PROPERTIES HOLDINGS INC., ENVIROTECH CLEAN AIR,  
INC., GPS ENVIRONMENTAL CONSULTANTS, INC.,  
HILLMAN ENVIRONMENTAL GROUP, LLC., INDOOR  
ENVIRONMENTAL TECHNOLOGY, INC., KASCO  
RESTORATION SERVICES CO., MERRILL LYNCH & CO.,  
INC., NOMURA HOLDING AMERICA, INC., NOMURA  
SECURITIES INTERNATIONAL, INC., STRUCTURE TONE  
(UK), INC., STRUCTURE TONE GLOBAL SERVICES, INC.,  
TOSCORP INC., TUCKER ANTHONY, INC., WESTON  
SOLUTIONS, INC., WFP TOWER A CO., WFP TOWER A  
CO. G.P. CORP., WFP TOWER A. CO., L.P., WFP TOWER B  
CO. G.P. CORP.,

WFP TOWER B HOLDING CO., LP, AND WFP TOWER B.  
CO., L.P., ET AL.,

Defendant(s).

-----X

COUNSELORS:

PLEASE TAKE NOTICE that defendants, ANN TAYLOR STORES CORPORATION, as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts ANN TAYLOR STORES CORPORATION's Answer to the Master Complaint dated August 8, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that ANN TAYLOR STORES CORPORATION's, Answer to the Master Complaint does not comprehensively address any of the specific allegations within the Check-Off Complaint in the above-captioned matter, ANN TAYLOR STORES CORPORATION denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, ANN TAYLOR STORES CORPORATION demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York  
October 15, 2007



ROGER P. McTIERNAN, JR. (RPM 1680)  
BARRY, McTIERNAN & MOORE  
Attorneys for Defendants  
ANN TAYLOR STORES CORPORATION.  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600